

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X 11-CV-5766 (GBD)  
TEEN MODEL (a minor), by her parents, PARENTS,

Plaintiffs,

**DECLARATION IN  
FURTHER SUPPORT OF  
MOTION TO DISMISS**

-against-

JASON LEE PARRY, BLOOD IS THE NEW BLACK,  
URBAN OUTFITTERS, INC., and BRANDY &  
MELVILLE N.Y. INC.,

Defendants.

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STATE OF NEW YORK )  
ss.:  
COUNTY OF NEW YORK )

WARREN S. KOSTER, pursuant to 28 USC § 1746, declares under penalty of perjury, that the following is true, based upon his personal knowledge and review of the file in this action:

1. I am a member of the law firm of Callan, Koster, Brady & Brennan, LLP, attorneys for defendant URBAN OUTFITTERS, INC. ("Urban") in the above-entitled action. I am fully familiar with the facts and circumstances of this case based on a review of the file materials maintained in this office.

2. This declaration is submitted in response to the opposition papers submitted by plaintiff, and in further support of Urban's motion to dismiss in lieu of answer pursuant to Federal Rule of Civil Procedure 12(b)(6) to have the plaintiff's amended complaint dismissed with prejudice as to Urban, and for such other and further relief as this Court may deem just and proper.

3. As discussed in the annexed Reply Memorandum of Law, each and every cause of action asserted against Urban in the amended complaint should be dismissed for failure to state a cause of action upon which relief may be granted.

**WHEREFORE**, it is respectfully requested that the instant Motion be granted in its entirety.

Dated: New York, New York  
January 31, 2012

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/s/  
WARREN S. KOSTER (WSK-6753)